



Capitol Broadcasting Company, Inc., 2619 Western Blvd., P.O. Box 12000, Raleigh, NC 27605

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January 16, 2004

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RE: EX PARTE NOTICE – CS 98-120, MB 03-15, 99-360, 00-167, and 00-168

Dear Ms. Dortch:

Please note that my January 15, 2004 filing inadvertently left out the fact that Jim Goodman and I also met with Jonathan P. Cody of Chairman Michael Powell's office on January 14<sup>th</sup>. The notice should have read as follows:

On behalf of Capitol Broadcasting Company, Inc. (CBC), Jim Goodman and I met with Commissioner Kathleen Abernathy and Stacy Fuller on January 14, 2004. We also met with Jonathan Cody of Chairman Michael Powell's office. The topic of our conversations was two-fold: 1) how to complete the digital transition and return the analog spectrum to the government and 2) public interest obligations of broadcasters in the digital environment.

**Digital Transition**

CBC stated that its goal is to complete the digital transition and return the analog spectrum to the government – a goal that is consistent with our national policy of moving from analog to digital. As such, CBC supports whatever regulations, legislation, industry-agency agreements or inter-industry agreements that move us toward the national goal. CBC expressed appreciation to the Commissioners for the recent action on cable interoperability and the broadcast flag and congratulated them on the recent tuner mandate court victory. However, multichannel (cable and satellite) carriage of the entire 19.4 Mbps digital signal remains the biggest roadblock to the digital transition. CBC noted that it is currently broadcasting in high-definition and multicasting on its stations in Raleigh-Durham. With multicasting, CBC offers viewers a full-time local news and weather channel. CBC expressed great enthusiasm for the flexibility of the digital signal and the programming we can now deliver in our communities.

CBC noted that although so-called dual must carry is not on the Commission agenda at this time, CBC cannot project the end of the digital transition in our lifetimes without dual or transitional must carry.



**Public Interest Obligations**

CBC noted that it supports public interest obligations, including minimum public interest standards on each digital channel, community ascertainment, minimum public service announcements, minimum local public affairs programming, free political issue programming, but not free political advertising, and a voluntary broadcast code. Copies of the Gore Commission public interest recommendations written by Jim Goodman have been e-mailed to Stacy Fuller and Jonathan Cody. A copy is included with this filing.

If there are questions relating to this filing, please contact the undersigned.

Best regards,

/s/ Dianne Smith

Dianne Smith  
Special Projects Counsel

Enclosure

cc.

Commissioner Kathleen Abernathy  
Stacy Robinson Fuller  
Jonathan P. Cody